

ORDINANCE NO. 3073

AN ORDINANCE AMENDING THE LICENSING PROVISIONS OF CHAPTER 6, ARTICLE B CIGARETTE AND TOBACCO DEALERS OF TITLE 3 BUSINESS AND LICENSE REGULATIONS OF THE VILLAGE CODE OF THE VILLAGE OF ELK GROVE VILLAGE

WHEREAS, the Mayor and Board of Trustees, at an open meeting duly called and held according to law, considered the regulation of tobacco sales within the Village, including the prohibition of such sales; and

WHEREAS, it was determined by the Board that the desired goal of decreasing and deterring the use of tobacco products would be best accomplished by establishing programs and courses of action designed to educate the public with respect to the danger and health hazards related to smoking and secondhand smoke as opposed to merely banning the sales entirely; and

WHEREAS, it was further determined that the funding of such educational programs and other programs designed to help individuals quit smoking would best be accomplished by raising the license fee for cigarette and tobacco dealers and having all of the revenue generated therefrom be utilized for the above-stated educational purposes; and

WHEREAS, the Board of Health and the Department of Health and Community Services of the Village have indicated a willingness and an ability to recommend various stop smoking campaigns and educational programs to the Village Board to be implemented from time to time in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

Section 1: That Section 3-6B-2 of the Village Code be and the same is hereby amended to read as follows:

3-6B-2 License Required/Fee/Educational Program

It shall be unlawful for any person, firm or corporation to operate as a tobacco dealer or operate cigarette vending machines, either by himself or through an agent, employee or partner, without first having obtained a license as herein provided.

The annual license fees for cigarette and tobacco dealers shall be as follows:

Vending Machines	\$1,000
Over the Counter Sales in Premises under 9,000 square feet	\$1,000
Over the counter sales in Premises over 9,000 square feet	\$5,000

All license fees received by the Village shall be utilized for smoking cessation programs, educational programs regarding the dangers and hazards of smoking and secondhand smoke and such other programs, campaigns and promotions established for the purpose of deterring tobacco use in the Village, and promoting the values of a smoke-free environment and a smoke-free Village.

The Department of Health and Community Services, in conjunction with the Board of Health, is hereby directed to investigate and identify various programs to accomplish the intended purpose and make recommendations accordingly and from time to time to the Mayor and Board of Trustees. Revenues from the above-stated license fees will be utilized to deter the costs of the various educational programs and campaigns.

As an integral part of the educational program, all licensees shall be required as a part of their license obligations to advertise and promote the programs adopted by the Mayor and Board of Trustees in prominent locations in the licensed premises, including, but not limited to, the point of sale of the tobacco products.

Section 2: That this Ordinance shall be in full force and effect from and after June 1, 2006.

VOTE: AYES: 4 NAYS: 2 ABSENT: 0

PASSED this 28th day of March 2006.

APPROVED this 28th day of March 2006.

APPROVED:

**Mayor Craig B. Johnson
Village of Elk Grove Village**

ATTEST:

Ann I. Walsh, Village Clerk